

state. This section specifies the availability of online forms and that all information will remain confidential.

The Republican bill does nothing to address the flaws apparent in the medical malpractice insurance marketplace and the regulation of that market. The sole remedy of the Republican legislation is tort reform that will restrict the rights of those who have been legitimately wronged.

Sec. 203—Procedural Requirements for Proposed Rate Increases. This section allows any health care professional to challenge a proposed rate increase of medical malpractice insurance in a State administrative proceeding. It also requires that before it implements any rate increase, an insurance provider submit to the appropriate state agency a description of and justification for the rate increase.

#### TITLE III—ENHANCING PATIENT ACCESS TO CARE THROUGH DIRECT ASSISTANCE

Sec. 301—Grants and Contracts Regarding Health Provider Shortages. This section authorizes the Secretary of Health and Human Services to award grants or contracts through the Health Resources and Services Administration (HRSA) to health care providers who choose to work in geographic areas that have a shortage of one or more types of health providers as a result of dramatic increases in malpractice insurance premiums.

Sec. 302—Health Professional Assignments to Trauma Centers. This section amends the Public Health Service Act to authorize the Secretary to send physicians from the National Health Service Corps to trauma centers that are in danger of closing (or losing their trauma center status) due to dramatic increases in malpractice premiums.

The Republican legislation does not directly address the access to care issue caused by rising malpractice premiums. The sole remedy of the Republican legislation is tort reform that will restrict the rights of those who have been legitimately wronged.

#### TITLE IV—INDEPENDENT ADVISORY COMMISSION ON MEDICAL MALPRACTICE INSURANCE

Sec. 401–402—Independent Advisory Commission on Medical Malpractice Insurance. This section establishes the national Independent Advisory Commission on Medical Malpractice Insurance. The Commission must evaluate the causes and scope of the recent and dramatic increases in medical malpractice insurance premiums, formulate additional proposals to reduce those premiums, and make recommendations to avoid any such increases in the future. In formulating its proposals, the Commission must, at a minimum, consider a variety of enumerated factors.

The Republican legislation only addresses tort reform and does not examine other causes of malpractice premium costs.

Sec. 403—Report. This section requires the Commission to file an initial report with Congress within 180 days of enactment and to file annual reports until the Commission terminates.

Sec. 404—Membership. This section specifically establishes the number and type of commissioners that the Comptroller General of the United States must appoint to the Commission. Generally, the membership of the Commission will include individuals with national recognition for their expertise in health finance and economics, actuarial science, medical malpractice insurance, insurance regulation, health care law, health care policy, health care access, allopathic and osteopathic physicians, other providers of health care services, patient advocacy, and other related fields, who provide a mix of different professionals, broad geographic representations, and a balance between urban

and rural representatives. Members of the commission will be appointed for three year staggered terms.

Sec. 405—Director and Staff, Experts and Consultants. This section allows the Commission to hire personnel and contract services necessary to perform its duties.

Sec. 406—Powers. This section allows the Commission to secure from any department or agency information necessary to carry out its purpose. It also requires that the Commission be subject to a periodic audit by the Comptroller General.

Sec. 407—Authorization of Appropriations. This section authorizes that such sums be appropriated to the Commission for five fiscal years.

#### TITLE V—MEDICAL MALPRACTICE INSURANCE INFORMATION ADMINISTRATION

Sec. 501—Establishment. This section creates within the Department of Health and Human Services an administration that will collect and evaluate information on the medical malpractice insurance market. Such information includes the frequency of medical malpractice claims paid, the severity of such claims, the portion of claims paid as settlements, the portion of claims paid as a result of a trial, and the division in claims between economic and non-economic damages. The section also requires that insurance companies submit the above data to the administration. The administrator may compel submittal and there will be a civil money penalty for not submitting the data.

Sec. 502—Authorization of Appropriations. This section authorizes appropriations for the administration.

### RECOGNIZING THE 25TH ANNIVERSARY OF THE POLISH SOLIDARITY MOVEMENT

SPEECH OF

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2005*

Mr. DINGELL. Mr. Speaker, I rise today in recognition of the 25th anniversary of the Workers' Strikes in Poland. In commemorating these strikes, we are remembering the birth of a movement which led to the fall of communism in Poland and, later, Europe.

The strikes began as workers across Poland protested the nearly 80% rise in meat prices. In the northern city of Gdansk, workers protested in response to the dismissal of two workers on the grounds of political agitation. The Lenin Shipyard workers staged a sit-in and demanded the reinstatement of electrician Lech Walesa and crane operator Anna Walentynowich. The workers realized the power of their unity and chose to name their strike bulletin *Solidarność* or Solidarity. Soon after, the first independent trade-union faction emerged and the Solidarity movement was born.

In cooperation with intellectuals, the Gdansk Shipyard strikers created the famed list of 21 demands. The Solidarity Movement boasted members from almost all groups and social classes—all of whom opposed the Moscow-backed regime. This unity was a first in the history of Poland. In December of 1981 the Communist government of Poland implemented martial law in hopes of combating the Solidarity Movement's vast popularity.

Despite the best efforts of the communist government, another strike wave occurred in

1988. The regime decided it must try to share its power with the opposition. The elections of June of 1989 brought the Solidarity Movement to power and Poland was able to set up a non-communist government. The victory of the Poles served as an example to the rest of Europe and is credited with leading to the historic fall of the Berlin wall five months later.

When the Solidarity Party took power in 1989, the basic political transition and the implementation of a market economy posed many challenges. Furthermore, they faced the daunting task of overcoming the social mindset resulting from years of communist rule. Nonetheless, in January of 1990, the government sought to realize substantial reform goals. The conversion was not easy and the market-economy caused an economic crisis in 1992. However, true to their history, the Poles overcame this obstacle. We should all look to our great ally as a model of determination, resilience and loyalty.

Over 11 million Americans claim Polish ancestry, nearly 900,000 of whom live in my home state of Michigan. Polish-Americans, like me, are proud of our heritage and Poland has shown itself to be a true ally of the U.S., most recently in Iraq. They have supported us in our struggle against global terrorism, in Afghanistan and assumed a leading role in Iraq. Two-hundred Polish troops are currently serving in Bagram, Afghanistan and our alliance with Poland remains one of our vital relationships. Mr. Speaker, I ask that you and my colleagues join me in recognizing the 25th anniversary of a momentous event in the history of one of our strongest allies and greatest friends. The strikes in Poland will always be remembered for their important role in Polish democratization and, consequently, the end of the Cold War.

#### PERSONAL EXPLANATION

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2005*

Mr. GALLEGLY. Mr. Speaker, on Thursday, July 14, 2005 I was unable to vote on several matters because I was testifying before the Los Angeles regional BRAC hearing on behalf of Naval Base Ventura County. Had I been present, I would have voted: "no" on the motion to instruct conferees on H.R. 6, the Energy Policy Act of 2005 (rollcall vote 373); "yes" on the motion to suspend the rules and pass H.R. 3100, the East Asia Security Act of 2005 (rollcall vote 374); "yes" on motion to suspend the rules and agree to H. Res. 356, Condemning in the strongest terms the terrorist attacks in London, England on July 7, 2005 (rollcall vote 375); "no" on Rohrabacher amendment to H.R. 2864, the Water Resources Development Act of 2005 (rollcall vote 376); "no" on the Flake amendment to H.R. 2864, the Water Resources Development Act of 2005 (rollcall vote 377); "yes" on passage of H.R. 2864, the Water Resources Development Act of 2005 (rollcall vote 378); and "yes" on motion to suspend the rules and agree to H. Con. Res. 191, Commemorating the 60th Anniversary of the conclusion of the War in the Pacific and honoring the veterans of both the Pacific and Atlantic theaters of the Second World War (rollcall 379).